

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL HALL,

Plaintiff,

v.

PATRICIA LAMB,

Defendant.

Case No. 10-13109

Honorable Denise Page Hood

ORDER ACCEPTING REPORT AND RECOMMENDATION
and
DISMISSING ACTION

This matter is before the Court on Paul J. Komives' Report and Recommendation, dated January 27, 2011 [Doc. No. 15]. The time to file Objections has passed and no Objections have been filed to date.

The standard of review by the district court when examining a Report and Recommendation is set forth in 28 U.S.C. § 636. This Court "shall make a *de novo* determination of those portions of the report or the specified proposed findings or recommendations to which an objection is made." 28 U.S.C. § 636(B)(1)(c). The Court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the Magistrate." *Id.*

In order to preserve the right to appeal the Magistrate Judge's recommendation, a party must file objections to the Report and Recommendation within fourteen (14) days of service of the Report and Recommendation. Fed. R. Civ. P 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Secretary of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947 (6th

Cir. 1981).

After review of the Magistrate Judge's Report and Recommendation, the Court finds that his findings and conclusions are correct. E.D. Mich. LR 11.2 provides that if a person fails to promptly provide the Court with current contact information, that party is subject to sanctions, including dismissal of a case. E.D. Mich. LR 11.2. The Court agrees with the Magistrate Judge that Plaintiff has failed to provide the Court with his current contact information. The Court's docket indicates documents sent to Plaintiff have been returned as undeliverable. The Court accepts and adopts the Magistrate Judge's conclusion and recommendation that the case be dismissed without prejudice for failure to prosecute under E.D. Mich. LR 11.2 and 41.2. Accordingly,

IT IS ORDERED that Magistrate Judge Paul J. Komives' January 27, 2011 Report and Recommendation [**No. 15, 1/27/2011**] is ACCEPTED and ADOPTED as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss [**No. 10, filed 12/21/2010**] is MOOT.

IT IS FURTHER ORDERED that this action is DISMISSED without prejudice.

s/Denise Page Hood

Denise Page Hood

UNITED STATES DISTRICT JUDGE

Dated: February 28, 2011

I hereby certify that a copy of the foregoing document was mailed to Michael Hall #303394, Gospel Mission, 448 North Burdick, Kalamazoo, MI 49007 and the attorneys of record on this date, February 28, 2011, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Relief Case Manager, (313) 234-5165